

## FACSIMILE COVER SHEET

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December 1, 2003

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**TO:** Examiner Stephen Gucker**GROUP:** 1642**FAX NUMBER:** 703-308-4242**ATTORNEY DOCKET NO.:** PTQ-0027**SERIAL NO.:** 09/115,589**FILED:** July 15, 1998**NUMBER OF PAGES:** 24**COURTESY COPY OF RESPONSE TO TELEPHONE INTERVIEW OF  
NOVEMBER 21, 2003 AND NOTICE OF APPEAL. ALSO FILED VIA  
FACSIMILE TO TC1600 FAX NUMBER 703-872-9307.****MESSAGE:** Attached please find Combined Amendment & Petition for Extension of Time Transmittal Letter (in duplicate); Notice of Appeal (in duplicate); Authorization to charge deposit account a total of \$640.00; \$165.00 for Notice of Appeal fee and \$475.00 for three (3) month extension of time fee; and Certificate of Transmission by Facsimile.

Kathleen A. Tyrrell, Registration No. 38,350

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\* \* \* \* \*

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TO: Examiner Stephen Gucker (TC1600)			
GROUP: 1642			
FAX NUMBER: 703-872-9307			
ATTORNEY DOCKET NO.: PTQ-0027			
SPECIAL NO.: 09/113,589			
FILED: July 15, 1998			
NUMBER OF PAGES: 27			
MESSAGE: Attached please find Combined Amendment & Petition for Extension of Time Transmittal Letter (in duplicate); Notice of Appeal (in duplicate); Authorization to charge deposit account a total of \$640.00; \$165.00 for Notice of Appeal fee and \$475.00 for three (3) month extension of time fee; and Certificate of Transmission by Facsimile.			
Kathleen A. Tyrrell, Registration No. 38,350			
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**Licata & Tyrrell P.C.**

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Tel: (856) 810-1515  
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December 1, 2003

**TO:** Examiner Stephen Gucker (TC1600)

**GROUP:** 1642

**FAX NUMBER:** 703-872-9307

**ATTORNEY DOCKET NO.:** PTQ-0027

**SERIAL NO.:** 09/115,589

**FILED:** July 15, 1998

**NUMBER OF PAGES:** 21

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Fax: (856) 810-1454**FAXED**  
*12/1/03 12:24*

December 1, 2003

**TO:** Examiner Stephen Gucker (TC1600)**GROUP:** 1642**FAX NUMBER:** 703-872-9307**ATTORNEY DOCKET NO.:** PTQ-0027**SERIAL NO.:** 09/115,589**FILED:** July 15, 1998**NUMBER OF PAGES:** 21

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**CERTIFICATE OF TRANSMISSION BY FACSIMILE (37 CFR 1.8)**

Applicant(s): Van Eyk et al.

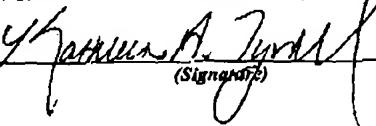
Docket No.

PTQ-0027

Serial No.  
09/115,589Filing Date  
July 15, 1998Examiner  
Gucker, StephenGroup Art Unit  
1647

Invention: Methods of Diagnosing Muscle Damage

I hereby certify that this Notice of Appeal  
(Identify type of correspondence)  
is being facsimile transmitted to the United States Patent and Trademark Office (Fax. No. 703-872-9307)  
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Kathleen A. Tyrrell(Typed or Printed Name of Person Signing Certificate)  
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**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO  
THE BOARD OF PATENT APPEALS AND INTERFERENCES (Small Entity)**

Docket No.  
PTQ-0027

In Re Application Of: Van Eyk et al.

Serial No. 09/115,589	Filing Date July 15, 1998	Examiner Gucker, Stephen	Group Art Unit 1647
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Invention: Methods of Diagnosing Muscle Damage

**TO THE COMMISSIONER FOR PATENTS:**

Applicant(s) hereby appeal(s) to the Board of Patent Appeals and Interferences from the decision of the Primary Examiner dated May 30, 2003 finally rejecting Claim(s) 1-4, 6-28 and 53-55

Applicant is a small entity under 37 CFR 1.9 and 1.27.

A verified statement of small entity status under 37 CFR 1.27:

is enclosed.  
 has already been filed in this application.

The fee for this Notice of Appeal is: \$165.00

A check in the amount of the fee is enclosed.  
 The Director has already been authorized to charge fees in this application to a Deposit Account.  
 The Director is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. 50-1619



Dated: December 1, 2003

Kathleen A. Tyrrell, Reg. No. 38,350

Licata & Tyrrell P.C.  
66 East Main Street  
Marlton, New Jersey 08053  
Tel: 856-810-1515  
Fax: 856-810-1454

I certify that this document and fee is being deposited on with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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